



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

MASCOMA VALLEY REGIONAL SCHOOL BOARD :

Complainant :

v. :

CHARLES STONE, PRESIDENT, MASCOMA VALLEY REGIONAL EDUCATION ASSOCIATION :

Respondent :

CASE NO. T-0290:7

DECISION NO. 84-59

APPEARANCES

Representing Mascoma Valley Regional School Board

Patricia B. Brown
Wayne Kramer
Paul D. Rice

Representing Mascoma Valley Regional Education Association

John Fessenden Chris Mayer
Franklin Gould Nancy Sanborn
Charles Stone

BACKGROUND

On January 11, 1984 the Mascoma Valley Regional School Board (Board) filed a complaint against the Mascoma Valley Education Association (Association) charging improper practices by the Association violating RSA 273-A:3, I (failing in obligation to negotiate) and RSA 273-A:5, II, d (refusing to bargain in good faith). Specifically, the Board charges that the Association's "failure to negotiate in good faith is found in the failure to bring to the bargaining table all proposals to be negotiated and failure to enter into meaningful discussion and counter-proposals of the initial proposal presented by the Board".

The Association responded by denying any wrongdoing and pointing out there had been several negotiating sessions prior to their declaring impasse on January 5, 1984 and asserting their right to so declare.

A hearing was held at the PELRB's offices in Concord, N.H. on February 6, 1984 with all parties represented.

FINDINGS OF FACT AND RULINGS OF LAW

At hearing witnesses and documents were received which indicated to the PELRB that the parties had dramatically different conceptions of the style

which the negotiations should take and that this had led the parties to frustration in the process. It was further obvious that the parties had not taken stock of their mutual agreements with a view of closing the gap in their remaining differences in proceeding to mediation.

DECISION AND ORDER

The Board through the Chairman ordered the parties back to negotiation for at least two good faith sessions, prior to mediation, with a view to at least identifying areas of agreement. Parties were ordered to report progress to PELRB.


ROBERT E. CRAIG, Chairman

Oral decision issued February 16, 1984.

By unanimous vote. Chairman Robert E. Craig presiding. Members James C. Anderson and Robert D. Steele present and voting. Also present, Evelyn C. LeBrun, Executive Director.